

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Allegations of corruption against the officials of UCD wing of Municipal Corporation of Hyderabad for misappropriation of funds in construction of Houses for economically Weaker Sections at Mahabharat Nagar Colony, Khairatabad – Sri M.Krishna Kumar, Community Development Officer, UCD, GHMC, Hyderabad dismissed from service – Reinstatement into service – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I(i) DEPARTMENT

G.O.Rt.No. 234

Dated:12. 02.2014.

Read the following:-

1. From the DG, ACB, Hyd, Lr.Rc.No.44/RE.CR/92, dt. 27.11.1993,
2. From the DG, ACB, Hyd, Lr.Rc.No.44/RE.CR/92-S2, dt. 31.3.1998,
3. Govt.Memo.No.902/F2/1998-2, MA&UD Deptt., Dated 13.5.1998.
4. From the Commissioner, GHMC, Hyd, Proc. No.1010/OP/OP3/MCH/2001/24, dated 22.1.2001.
5. From the Commr., MCH, Hyd., Lr.No.71/135/V&E/V3/MCH/2001/102, dated 30.7.2001, alongwith Enquiry Report dated 6.6.2001.
6. Govt. Memo.No.2415/V2/2001-1, MA&UD Deptt., dated 27.4.2002.
- 7.From the Commr., GHMC, Hyderabad, Proceedings No.71/135/V&E/V3/MCH/2002/313, dated 5/10.8.2004.
- 8.From the APAT, Hyd. in O.A.No.6683/2005, filed by Sri M.Krishna Kumar, Community Development Officer, GHMC, Hyd.
- 9.From the APAT, Hyderabad, orders dated 22.12.2006 in O.A.No.6683/2005.
10. Govt. Memo.No.2415/V2/2001, MA&UD Deptt., dated: 10.11.2005.
- 11.From the Commr.,MCH, Hyd., Lr.No.71/135/V&E/V3/MCH /2001/9, dated 20.1.2006.
- 12.From the Hon'ble High Court of Andhra Pradesh, order dated 19.2.2013, in W.P.No.7424/2007.
- 13.From the Commr., GHMC, Hyd.,Lr.No.71/135/Vig.A/V3/GHMC/2001 dated 15.4.2013, alongwith the representation of Sri M.Krishna Kumar, CDO, GHMC (dismissed), reprtn. Dated 8.4.2013.

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ORDER:

Whereas in the reference 1st read above, the Director General, ACB, Hyderabad has registered a case against Sri M.Krishna Kumar, Community Development Officer, Urban Community Development, Greater Hyderabad Municipal Corporation, Hyderabad (dismissed) and others, on allegation of corruption for misappropriation of funds in construction of Houses for economically Weaker Sections at Mahabharat Nagar Colony, Khairatabad.

2. Whereas in the reference 3rd read above, charges were framed against the A.Os., Sri M.Krishna Kumar, Community Development Officer, Urban Community Development, Greater Hyderabad Municipal Corporation,, Hyderabad. In the reference 4th read above, Sri A.Venkat Rao, Addl. Commissioner, (East Zone), was appointed as Inquiring Authority to enquire into the charges framed against the COs., In the reference 5th read above, the Inquiring Authority has furnished enquiry report. The Inquiry Authority in the findings held that that the charge (1), framed against the AO, held proved. The Commissioner, Municipal Corporation of Hyderabad, Hyderabad has requested to initiate action against the AO, as per Rule 9 of the A.P.Civil Service (CCA) Rules, 1991.

3. Whereas, Government after careful examination of the Enquiry Report and by obtaining advice of advisory authority, have decided to impose penalty of dismissal from service against Sri M.Krishna Kumar, Community Development Officer, Urban Community Development, Greater Hyderabad Municipal Corporation, Hyderabad. Accordingly, the Commissioner, Municipal Corporation of Hyderabad, Hyderabad was directed to dismiss the Accused Officer, Sri M.Krishna Kumar, Community Development Officer, Urban Community Development, Greater Hyderabad Municipal Corporation, Hyderabad, vide reference 6th read above. The Commissioner, Municipal Corporation of Hyderabad, was imposed penalty of dismissal against Sri M.Krishna Kumar, from service vide reference 7th read above.

4. Whereas in the reference 8th read above, Sri M.Krishna Kumar, Community Development Officer, Urban Community Development, Greater Hyderabad Municipal Corporation,, Hyderabad, has filed O.A.No.6683/2005, in Hon'ble A.P. Administrative Tribunal, Hyderabad praying to suspend the operation of the impugned Proc. No.71/135/ V&E/ V3/MCH/2002/312, dated 5/10.8.2004. It is submitted that the APAT in its orders dated 22.12.2006, filed by Sri M.Krishna Kumar, Community Development Officer, Greater Hyderabad Municipal Corporation, Hyderabad passed orders as follows:-

" As a common enquiry was conducted against the applicant herein and the applicant in O.A.No.4687/2004 and basing on the common enquiry report, the orders impugned herein and impugned on O.A.No.4687/2004, have been passed, the findings in O.A.No.4687/2004 are made applicable to the present case.

In view of the findings given in O.A.No.4687/2007, the impugned orders in Proceedings No.71/135/V&E/V3/MCH/2002/312, dated 5/10.08.2001 are set- aside and the O.A. is allowed. No costs."

5. Whereas, in the reference 10th read above, the Commissioner, Municipal Corporation of Hyderabad, Hyderabad has been requested to file appeal in Hon'ble High Court of Andhra Pradesh against the orders dated 22.12.2006, in O.A.No.6683/2005, of the Hon'ble Tribunal, Hyderabad. The Commissioner, Municipal Corporation of Hyderabad, Hyderabad has filed W.P.No.7424/2007 in Hon'ble High Court of Andhra Pradesh.

6. Whereas, in the reference 12th read above, the Hon'ble High Court of Andhra Pradesh, in its Judgment dated 20.3.2013, in W.P.No.7424/2007, among others, has directed the respondents as follows:

"Impugned order, dated 22.12.2006 in O.A.No.6683/2005 passed by the APAT, Hyderabad by which the order, dismissing respondent No.1 from service, was set aside and as we confirm the same, the petitioners are directed to reinstate the respondent No.1 into service, within a period of six weeks from date of receipt of a copy of this order. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No Costs".

7. In the reference 13th read above, the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad while enclosing the representation of Sri M.Krishna Kumar, Community Development Officer, Urban Community Development, Greater Hyderabad Municipal Corporation,

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Hyderabad, (dismissed), has requested to pass suitable orders in the matter. Sri M.Krishna Kumar, in his representation, among others, has requested to reinstatement him into service and also to grant all consequential benefits in view of Judgement of Hon'ble High Court of Andhra Pradesh.

8. Government after careful examination of the matter and in compliance of orders of A.P. Administrative Tribunal and Judgment of Hon'ble High Court of Andhra Pradesh, and also by obtaining advise of advisory authority have decided to advice Commissioner, Greater Hyderabad Municipal Corporation implement the same and to reinstate Sri M.Krishna Kumar, Community Development Officer, Urban Community Development, Greater Hyderabad Municipal Corporation, Hyderabad into service. Accordingly, Government hereby reinstate Sri M.Krishna Kumar, Community Development Officer, UCD, Greater Hyderabad Municipal Corporation, Hyderabad, into service to avoid legal complications.

9. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad shall take necessary action accordingly, and intimate the action taken report to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.S.K. JOSHI,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
Sri Sri M.Krishna Kumar, Community Development Officer, Urban Community Development, Greater Hyderabad Municipal Corporation,, Hyderabad, through Commissioner, GHMC, Hyderabad.

Copy to:

The Secretary to Vigilance Commission, Andhra Pradesh Vigilance Commission, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

The Government Pleader for MA&UD, A.P. Administrative Tribunal, Hyderabad.

The Government Pleader for MA&UD, High Court of A.P., Hyderabad.

SF/SC.

//Forwarded :: By Order//

SECTION OFFICER